

CIVIL MINUTE ENTRY

BEFORE:	Magistrate Judge Steven M. Gold
DATE:	August 17, 2017
TIME:	4:60 p.m.
DOCKET NUMBER(S):	CV 16-2522 (NGG)
NAME OF CASE(S):	Bethea et al v. City of New York et al
FOR PLAINTIFF(S):	Lozar
FOR DEFENDANT(S):	Johnson
NEXT CONFERENCE(S):	CONFERENCE IN PERSON AT 3:00 PM ON SEPTEMBER 15, 2017
FTR/COURT REPORTER:	4:26-4:45

RULINGS STATUS CONFERENCE:

Plaintiffs will provide defendants with a list of outstanding discovery by August 18.

Defendants' objections to plaintiffs' demands are stricken as untimely.

Defendants will pay fees incurred by plaintiffs for preparing plaintiffs' July 14 letter, docket entry 39 is granted to the extent indicated on the record, and for preparing the deficiency letter due tomorrow. Defendants will make all efforts to comply with the demands and produce the outstanding documents promptly.

THE COURT WILL HOLD A CONFERENCE IN PERSON AT 3:00 PM ON SEPTEMBER 15, 2017.

A SUPERVISOR FROM THE NEW YORK CITY LAW DEPARTMENT MUST BE PRESENT. THE COURT WILL CONSIDER RECOMMENDING THAT DEFENDANTS' ANSWER BE STRICKEN AND LIABILITY BE ESTABLISHED IF SUBSTANTIAL PROGRESS RESOLVING THE OUTSTANDING DISCOVERY IS NOT PROVIDED FORTHWITH.

Where defendants contend documents do not exist, they shall provide an affidavit from the person who searched for them describing the search and the inability to locate responsive documents; if it appears the documents were lost or destroyed, the Court will consider appropriate sanctions, which may include a recommendation that an adverse inference instruction be given at trial.